

**United States Environmental Protection Agency  
Criminal Investigation Division  
Investigative Activity Report**

**Case Number**

0800-M449

**Case Title:**

Abound Solar, Inc.

**Reporting Office:**

Denver, CO, Area Office

**Subject of Report:**

Interview of (b) (7)(C), (b) (6).

**Activity Date:**

August 29, 2012

**Reporting Official and Date:**

(b) (7)(C), (b) (6)

Special Agent

04-SEP-2012, Signed by: (b) (7)(C), (b) (6)

**Approving Official and Date:**

(b) (7)(C), (b) (6)

Acting Special Agent in Charge

06-SEP-2012, Approved by: (b) (7)(C), (b) (6)

Acting Special Agent in Charge

**SYNOPSIS**

On August 29, 2012, Special Agent (SA) (b) (7)(C), (b) (6) interviewed (b) (7)(C), (b) (6) regarding (b) inspection of the Abound Solar, Inc. (Abound) facility located in Longmont, Colorado.

**DETAILS**

On August 29, 2012, SA (b) (7)(C), (b) (6) interviewed (b) (7)(C), (b) (6) Resource Conservation and Recovery Act Compliance Enforcement Officer for the Colorado Department of Public Health and Environment (CDPHE), regarding (b) inspection of the Abound facility located in Longmont, Colorado. The interview took place at the CDPHE Office building located at 4300 Cherry Creek Drive South, Building C, Denver, Colorado 80246.

After the reporting Agent identified (b) (7) by presentation of (b) credentials and discussed the nature of the interview, (b) (7)(C), provided the below summarized information:

(b) (7)(C) advised that (b) has been working as a Compliance Enforcement Officer for the CDPHE since April 2007. On February 3, 2011, (b) conducted an inspection of the Abound facility located in Longmont, Colorado. (b) was accompanied by Environmental Protection Agency Inspector (b) (7)(C), (b) (6). (b) (7)(C) related that (b) met with (b) (7)(C), (b) (6), Environmental Health and Safety (EHS) Engineer for Abound, and (b) (7)(C), (b) (6), EHS Specialist for Abound, on the day of the inspection. (b) (7)(C) stated that (b) did not observe any violations of the Resource Conservation and Recovery Act during (b) inspection of Abound. (b) (7)(C) added that (b) felt that (b) (7) and (b) (7) were forthright and honest with (b) during the inspection and that they wanted to go above and beyond their compliance requirements. (b) (7)(C) related that Abound wanted to compact their waste rags on site and that the company had a waste analysis plan for the waste rags. (b) (7)(C) stated that this activity fell under a permit by rule because of compaction activity. (b) (7)(C) advised that despite (b) telling the Abound representatives that they did not have to treat the rags on the facility as hazardous waste, the company wanted to handle them as D001 waste because they wanted to be conservative in their hazardous waste determinations.

(b) (7)(C) advised that Abound uses an automated dry deposition process that uses robotics in an enclosed area. Abound employees remain outside of the enclosed area and wear personal protective equipment. (b) (7)(C) said that during (b) inspection, (b) reviewed Abound's manifests, Land Disposal Restrictions, and the facility's 2009 biennial report. (b) did not review any of the facility's profiling of their waste stream data.

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(b) (7)(C) said that sometime in February of 2010 an anonymous complaint came into the CDPHE compliance assistance line that was alleging that Abound was sending cadmium contaminated solar panels to their customers because a filter in their automated process had broken. (b) (7)(C) opined that the complaint did not appear to be legitimate. When asked if (b) (7)(C) knew of the use of ion beads in Abound's solar panel manufacturing process, (b) (7)(C) replied that (b) (7)(C) was had no knowledge of Abound having ion beads in their waste stream. (b) (7)(C) recalled that the facility shipped off waste rinse water as D006 waste and that Abound wanted to get a waste water treatment system up and running for the facility. Sometime in July 2010, Abound had a wastewater treatment system installed, and on the day (b) (7)(C) inspected the facility they were having problems with the pH monitoring system and the wastewater treatment system was not online. (b) (7)(C) stated that according to the company's tests using the toxic characteristic leaching procedure 1311, the wastewater fell below regulatory limits for cadmium and was not a hazardous waste. (b) (7)(C) also explained that the metals in Abound's wastewater had to be precipitated out prior to it being discharged to the publicly owned treatment works.

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